

EXHIBIT B

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305

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WAL-MART STORES EAST LP
C. T. Corporation System
5400 D Big Tyler Road
CHARLESTON, WV 25313



Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
888-767-8683
Visit us online:
www.wvso9.com

Control Number: 188248

Defendant: WAL-MART STORES EAST LP
5400 D Big Tyler Road
CHARLESTON, WV 25313 US

Agent: C. T. Corporation System

County: Greenbrier

Civil Action: 16-C-232 (B)

Certified Number: 92148901125134100002011670

Service Date: 3/15/2017

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in your name and on your behalf.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in your name and on your behalf as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

Mac Warner

Mac Warner
Secretary of State

SUMMONS

IN THE CIRCUIT COURT OF GREENBRIER COUNTY, WEST VIRGINIA

**ROBERT MICHAEL HOWARD and
BRENDA HOWARD, his wife**

PLAINTIFFS

VS.

CIVIL ACTION NO. 16-C-232 (B)

**WAL-MART STORES EAST, LP
a Delaware Corporation,**

DEFENDANT
201 MAR 15 A 11:37
ACCEPTED FOR
SERVICE OF PROCESS
SECRETARY OF STATE
STATE OF WEST VIRGINIA
Agent

**To the above named Defendant: WAL-MART STORES EAST, LP
c/o CT Corporation System, Registered Agent
5400 D Big Tyler Road
Charleston, WV 25313**

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon BARRY L. BRUCE, plaintiff's attorney, whose address is BARRY L. BRUCE & ASSOCIATES, L.C., 101 W. RANDOLPH STREET, P. O. BOX 388, LEWISBURG, WEST VIRGINIA 24901, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled action, a true copy of which is herewith delivered to you. You are required to serve your answer within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above styled action.

DATED: December 20, 2016



Clerk of Court

By Deputy

IN THE CIRCUIT COURT OF GREENBRIER COUNTY, WEST VIRGINIA

**ROBERT MICHAEL HOWARD and
BRENDA HOWARD, his wife**

PLAINTIFFS

VS.

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**WAL-MART STORES EAST, LP
a Delaware Corporation,**

DEFENDANT

COMPLAINT

Now come the Plaintiffs, Robert Michael Howard and Brenda Howard, his wife, by and through their Counsel, Barry L. Bruce, Barry L. Bruce & Associates, L.C., and for their complaint against Defendant, Wal-Mart Stores East, LP, a Delaware corporation (hereinafter referred to as "Wal-Mart"), state as follows:

PARTIES AND JURISDICTION

1. Plaintiffs, Robert Michael Howard and Brenda Howard, are and were at all times herein mentioned, residents of Lewisburg, Greenbrier County, West Virginia.

2. Defendant, Wal-Mart, is a Delaware corporation, authorized to transact business in the State of West Virginia, and maintains and operates a Wal-Mart SuperCenter Store (store number 1499) in the town of Lewisburg, Greenbrier County, West Virginia. The Registered Agent for Wal-Mart Stores East, LP, of record with the Office of the Secretary of the State of West Virginia, Corporations Division, is CT Corporation System, 5400 D Big Tyler Road, Charleston, WV 25313.

STATEMENT OF FACTS

3. Paragraphs 1 through 2 are incorporated herein by reference as though restated.
4. On or about December 24, 2014, Plaintiff, Robert Michael Howard, was a patron at

one of Defendant's Wal-Mart SuperCenter Stores located in Lewisburg, West Virginia, and, while a patron at said store Plaintiff slipped on water on the floor in the grocery side of said Wal-Mart just past the inside grocery cart storage area landing on his right side and resulting in personal injuries to Plaintiff. Plaintiff Robert Michael Howard was in no way negligent at the time he fell.

5. Defendant Wal-Mart was negligent and careless and had no regard for the safety of its patrons and failed to maintain the floors of its store in a safe manner. Defendant Wal-Mart did not put up caution signs and/or cones indicating a wet floor. Defendant Wal-Mart is responsible for training its employees in due care for its patrons and said employees negligently and carelessly failed to exercise due care toward Plaintiff, Robert Michael Howard. As a direct and proximate result of Defendant's negligence, Plaintiff, Robert Michael Howard, was caused to suffer injuries to his body to include and not be limited to shoulder pain, knee pain and rotator cuff tear.

6. Plaintiff, Robert Michael Howard, has experienced and will continue to experience pain and suffering, which is the direct and proximate result of the negligence of Defendant, and, as a result thereof, he has incurred medical expenses and other expenses, and has sustained physical pain, permanent injury, mental anguish, loss of enjoyment of life, inconvenience and other damages.

7. As a direct and proximate result of Defendant Wal-Mart's reckless, gross and wanton negligence resulting in Plaintiff, Robert Michael Howard's injuries, he has incurred and will continue to incur medical expenses, prescription expenses, transportation expenses, lost wages and other miscellaneous expenses.

8. Plaintiff, Brenda Howard, wife of Robert Michael Howard, has suffered mental anguish as a result of the injuries to her husband, and has experienced loss of consortium including and not limited to companionship for sexual affections, work responsibility, social functioning, emotional distress, financial distress, and generally a complete change in their relationship and responsibilities, because of the damages and injuries caused by the gross negligence of the Defendant, Wal-Mart.

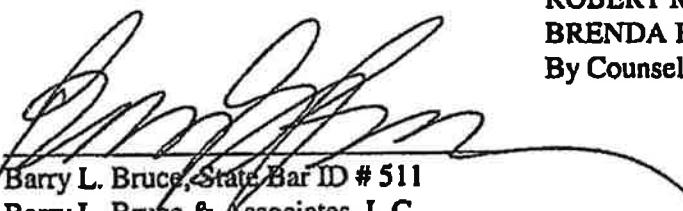
9. Plaintiffs' damages are in excess of the jurisdictional requirements of this Court.

PRAYER

WHEREFORE, for all the reasons stated herein, Plaintiffs prays that they be awarded judgment against the Defendant in the amount deemed appropriate by this Court, for total compensation of Plaintiffs' past and future pain and suffering, past and future mental anguish, past and future medical expenses and treatment, past and future prescription expenses, past and future transportation expenses, past and future miscellaneous expenses, past and future lost wages, permanent injury, loss of consortium, interest, attorney's fees, costs of this action, and for such other and further relief as this Court deems just and fit.

PLAINTIFFS DEMAND A TRIAL BY JURY.

ROBERT MICHAEL HOWARD and
BRENDA HOWARD, his wife
By Counsel.



Barry L. Bruce, State Bar ID # 511
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